

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BOYNTON BEACH FIREFIGHTERS'
PENSION FUND on behalf of itself and all
others similarly situated,

Plaintiff,

v.

HCP, INC.; HCR MANORCARE, INC.;
LAURALEE MARTIN; TIMOTHY SCHOEN;
PAUL A. ORMOND; and STEVEN M.
CAVANAUGH,

Defendants.

No. 3:16-cv-01106-JJH

**NOTICE OF MOTION OF THE PUBLIC EMPLOYEES'
RETIREMENT SYSTEM OF MISSISSIPPI FOR APPOINTMENT
AS LEAD PLAINTIFF AND APPROVAL OF ITS SELECTION OF LEAD COUNSEL**

Proposed Lead Plaintiff the Public Employees' Retirement System of Mississippi ("Mississippi") respectfully moves the Court, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the "PSLRA"), for the entry of an order: (1) appointing Mississippi as Lead Plaintiff in the above-captioned action; (2) approving its selection of Bernstein Litowitz Berger & Grossmann LLP ("Bernstein Litowitz") and Barrack, Rodos & Bacine ("Barrack Rodos") as Lead Counsel for the Class; and (3) for any such further relief as the Court may deem just and proper.

This Motion is made on the grounds that Mississippi believes it is the "most adequate plaintiff" under the PSLRA and should therefore be appointed Lead Plaintiff. Specifically, Mississippi believes that it has the "largest financial interest" in the relief sought by the Class in this action by virtue of, among other things, the approximately \$2 million in losses that it suffered on its investment in HCP, Inc. common stock. Mississippi also otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure because its claims are typical of other Class members' claims and because it will fairly and adequately represent the interests of the Class. Moreover, Mississippi is a paradigmatic Lead Plaintiff under the PSLRA because it is a sophisticated institutional investor with a substantial financial stake in the litigation, which guarantees effective monitoring and supervision of counsel.

Mississippi respectfully requests oral argument.

This Motion is based upon the accompanying Memorandum of Law in support hereof, the Declaration of Scott D. Simpkins filed herewith, the pleadings and other filings herein, and such other written or oral argument as may be permitted by the Court.

WHEREFORE, Mississippi respectfully requests that the Court: (1) appoint it to serve as Lead Plaintiff pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B); (2) approve its selection of Bernstein Litowitz and Barrack Rodos as Lead Counsel for the Class; and (3) grant such other relief as the Court may deem just and proper.

Dated: July 11, 2016

Respectfully Submitted,

/s/ Scott D. Simpkins

John R. Climaco (0011456)

Scott D. Simpkins (0066775)

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*Counsel for Proposed Lead Plaintiff
Public Employees' Retirement System of Mississippi
and Proposed Lead Counsel for the Class*

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically this 11th day of July 2016. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Scott D. Simpkins

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